

REMARKS

The Office Action dated 09/06/2006 has been fully considered by the Applicant.

Attached is a Petition for a Three-Month Extension of Time and a check in the amount of \$1020 to cover the fee.

Claims 1 and 16 have been currently amended. Claims 2 -11 and 13-15 have been previously presented. Claim 12 has been previously canceled. Claim 17 is new.

Claims 1, 4-11 and 13-16 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 5,995,155 to Schindler et al in view of United States Patent No. 5,740,466 to Geldman et al in further view of United States Patent No. 5,754,651 to Blatter et al.

Applicants' independent claim 1 has been currently amended to further clarify that the control system for the control of the storage means and the storage of data therein includes a single first in first out buffer which includes generic commands. The generic commands further include commands for the control system intermixed in the buffer with the commands for the control of the storage of the data in the storage means. Support for these limitations is found on Page 6 of the specification. Clearly, these features are not taught or suggested in the cited references and, therefore, reconsideration of the rejection is respectfully requested.

Applicants' invention utilizes generic commands which allow two type of commands to be mixed in the same buffer. Clearly, mixing of the two type of commands in the same buffer is not taught or suggested in the '651 Blatter et al patent. The '651 Blatter et al patent at col 5, lines 47-56 states: "Unit 60 contains four packet buffers accessible by controller 115. One of the buffers is assigned to hold data destined for use by the controller 115 and the other three buffers are assigned

to hold packets destined for use by application devices 75,80 and 85." Clearly, it can be seen that in the '651 Blatter et al patent the two type of commands are stored separately and, therefore, cannot be mixed in the same buffer system, as in Applicants' present invention. Applicants sincerely believe that currently amended claim 1 is novel over the cited references since there is no teaching to provide generic commands that can be intermixed in this way in the same buffer. Therefore, Applicants respectfully request reconsideration of the rejection.

Claims 4-11 and 13-15 depend upon currently amended independent claim 1 and are therefore considered novel over the cited references for the same reasons as stated herein.

Independent claim 16 has been currently amended to further clarify that the control system includes a single first in first out buffer which includes commands for the control system that are used to automate the bulk transfer of the data to and from the storage means intermixed with commands for control of the storage of the data in the storage means which include read/write instructions.

Applicants believe that currently amended claim 16 is novel over the cited references since none of the cited references teach a single first in first out buffer that includes commands for the control system used to automate a bulk transfer of the data to and from the storage means. These commands are intermixed with commands for control of the storage of the data in the storage means which include read/write instructions. These features are not taught or suggested in the cited references and, therefore, Applicants sincerely believe that currently amended claim 16 is novel. Reconsideration of the rejection is sincerely requested.

New claim 17 depends on currently amended independent claim 16 and provides that the data required during the bulk transfer is a multiplex of many data streams. Applicants believe new claim 17 is novel over the cited references.

Applicants believe that the combination of Geldman et al and Schindler et al and Blatter et al, taken together, would not provide the limitations of the present invention.

Furthermore, the combination of these references to achieve the limitations of the present invention is untenable.

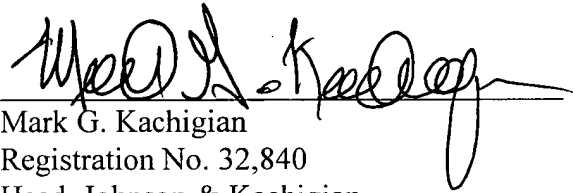
The Applicant respectfully disagrees with the Examiner's rejection of the aforestated claims under 35 USC 103(a). Absent some suggestion or motivation supporting the combination of references, the references may not properly be combined. "The mere fact that references *can* be combined or modified does not render the resulting combination obvious unless the prior art suggests the desirability of the combination". M.P.E.P. Section 2143.01 (Emphasis in original). Further, it is necessary for the Examiner to set forth *evidence* that one of ordinary skill in the art would have been led to combine the teaching of the applied references. Accordingly, Applicant respectfully submits that claims 1-11 and 13-17 are allowable over the art of record.

Claims 2 and 3 have been rejected under 35 USC 103(a) as being unpatentable over United States Patent No. 5,955,155 to Schindler et al in view of United States Patent No. 5,740,466 to Geldman et al and in further view of United States Patent No. 4,166,289 to Murtha et al. Reconsideration of the rejection is requested.

Claims 2 and 3 depend from currently amended independent claim 1 and are therefore believed to be novel over the cited references as stated herein.

It is believed that the foregoing is fully responsive to the outstanding Office Action. If any issues remain, a telephone conference with the Examiner is requested. If any fees are associated with this action, please charge Account No. 08-1500.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark G. Kachigian', written over a horizontal line.

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